

Message Text

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ACTION L-03

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TAGS: MARR PFOR GR US

SUBJ: GREEK BASE NEGOTIATIONS: STATUS OF FORCES (SOFA)

REF STATE 035265 (DTG 130053Z FEB 76)

1. IN FEBRUARY 14 MEETING, FONOFF LAWYERS WHO PARTICIPATE IN SOFA SUBGROUP ACCEPTED WORDING CHANGES DESIRED BY DEPARTMENT AS SET FORTH IN PARAS 2 AND 4 OF REFTEL. PRESENTATION OF PROPOSED CHANGE DESCRIBED IN PARA 3 OF REFTEL ELICITED GREEK STATEMENT THAT THEY DID INDEED WISH TO HAVE NEW SOFA SUPERSEDE ALL SOFA-TYPE PROVISIONS OF EXISTING AGREEMENTS AND THEREFORE DID NOT WISH REINSERTION OF PHRASE IN QUESTION. AFTER RECEIVING EXPLANATION OF REASONING UNDERLYING US DESIRE FOR CHANGE AND INFORMAL SUGGESTION THAT THIS DIFFICULTY COULD BE ALLAYED SIMPLY BY OMISSION FROM INITIAL SENTENCE OF PARA 2 OF IMPLEMENTING NOTE OF REFERENCE TO US FORCES, GREEK MEMBERS PROPOSED ALTERNATIVE WORDING FOR LAST PHRASE OF THAT SENTENCE, AS FOLLOWS: "...AND THE PROVISIONS OF ALL OTHER EXISTING AGREEMENTS BETWEEN THE TWO GOVERNMENTS RESPECTING THE STATUS OF MEMBERS OF THE UNITED STATES FORCES, THE CIVILIAN COMPONENT, AND DEPENDENTS, IN GREECE, AS WELL AS THE PROVISIONS OF SUCH AGREEMENTS RESPECTING THE STATUS

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OF THE UNITED STATES FORCES IN GREECE WHICH ARE NOT

CONSISTENT WITH THE ATTACHED AGREEMENT." US REP UNDER-
TOOK TO TRANSMIT THIS REWORDING TO WASHINGTON FOR FURTHER
COMMENT OR CONCURRENCE.

2. FONOFF LAWYERS THEN PRESENTED GOG COMPROMISE PROPOSAL
REGARDING ROAD CHARGES, WHICH WOULD ALTER FOURTH SENTENCE
OF ARTICLE VII OF NEW SOFA AS FOLLOWS: "SUCH FEES AND
CHARGES SHALL NOT EXCEED THE ANNUAL SUM OF \$125 PER AUTO-
MOBILE AND \$75 PER MOTORCYCLE, EXCLUSIVE OF TOLLS IMPOSED
FOR THE USE OF ROADS AND BRIDGES." THEY SAID THAT
OMISSION IN THIS REWORDING OF ANY DIFFERENTIATION BETWEEN
FEES FOR LICENSING/REGISTRATION AND ROAD CHARGES REFLECTED
GOG FEELING THAT WHEN SUMS UNDER CONSIDERATION WERE
LARGER IT COULD MAKE A DISTINCTION, BUT CURRENT FIGURES
WERE SO PALTRY WHEN COMPARED WITH CIRCULATION TAX THAT
PRESENTATION OF A GLOBAL FIGURE WOULD BE MORE PALATABLE
TO THE GREEK PARLIAMENT. THEY INDICATED POSSIBILITY
EXISTED THAT MINISTRY OF TRANSPORTATION MIGHT, IN FACT,
ASSIGN A FIXED FEE TO LICENSING/REGISTRATION PROCESS,
BUT THIS POSSIBLE FEE ASSIGNMENT WOULD BE A MATTER FOR
THAT MINISTRY TO DETERMINE. THEY ALSO SUGGESTED THAT
AN AUTOMOBILE ALREADY REGISTERED AND LICENSED BY A
MEMBER OF THE US FORCES, ET AL, WOULD NOT BE LIABLE TO
A REPETITION OF THESE FEES IF TRANSFERRED TO ANOTHER
SUBH MEMBER, BUT WERE UNABLE TO STATE PRECISELY HOW
THIS EXCLUSION WOULD BE IMPLEMENTED IN THE FACE OF THE
EXISTING REQUIREMENT OF GREEK LAW. THE US REP NOTED
THAT HE COULD RECOMMEND ACCEPTANCE OF GREEK COMPROMISE
IF US PERSONNEL WERE NOT DISADVANTAGED COMPARED TO
TOURISTS, WHO ARE ABLE TO USE MOTOR VEHICLES IN GREECE
WITHOUT PAYMENT FOR PERIOD UP TO ONE YEAR. GREEKS
POINTED OUT THAT THEIR EFFORTS TO WIN AGREEMENT TO THIS
CONCEPT WHEN PREVIOUSLY SUGGESTED BY US SIDE HAD BEEN
FIRMLY REBUFFED BY INTERESTED AGENCIES OF GOG, AND THEY
FORESAW NO POSSIBILITY THAT IT WOULD NOW BE ACCEPTABLE.
US REP THEN INDICATED HE WOULD REFER MATTER TO WASHINGTON.

3. COMMENT: IN VIEW OF NEW GOG POSITION THAT SUM SHOULD
BE GLOBAL, US REP DID NOT REVEAL AUTHORIZATION, PROVIDED
IN PARA 6 REFTTEL, TO ACCEPT TOTAL OF \$135, DIVIDED \$20
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FEES/\$115 CHARGES. WE NOTE, HOWEVER, THAT A CALCULATION
OF THE TOTAL COST IMPACT OF THE LATEST GREEK PROPOSAL
AND MOST RECENT US AUTHORIZATION ON AUTOMOBILES OF
PERSONS ASSIGNED TO GREECE FOR CURRENT ACCOMPANIED
(THIRTY MONTHS) AND UNACCOMPANIED (EIGHTEEN MONTHS)
TOUR LENGTHS REVEALS THAT GREEK PROPOSAL WOULD COST \$5
MORE OVER LONGER TOUR LENGTH WHILE US AUTHORIZATION
WOULD COST \$5 MORE OVER SHORTER TOUR LENGTH. SIMILAR

COMPARISON SHOWS THAT GREEK FORMULA WOULD COST OWNERS OF MOTORCYCLES \$37.50 MORE OVER LONGER TOUR AND \$12.50 MORE OVER SHORTER TOUR THAN WOULD US AUTHORIZATION. THESE COMPARISONS ARE BASED ON ASSUMPTION THAT GOG WILL MAKE NO DIFFERENTIATION BETWEEN ONE-TIME FEES AND ANNUAL CHARGES AND ALSO REFLECTS GREEK POSITION, REITERATED IN FEBRUARY 14 MEETING, THAT PAYMENT OF ROAD CHARGES WOULD BE ON A QUARTERLY BASIS RATHER THAN ANNUAL. WHILE DIFFERENCES ARE NOT SIGNIFICANT FOR AUTOMOBILE OWNERS, AND IN FACT WOULD TEND TO BALANCE OUT, MOTORCYCLE OWNERS CLEARLY WOULD BE WORSE OFF UNDER TERMS OF NEW GREEK PROPOSAL. WE WOULD APPRECIATE WASHINGTON GUIDANCE.

4. DISCUSSION OF POSSIBLE TIMING FOR SIGNING OF NEW SOFA AND EXCHANGES OF NOTES, ASSUMING REMAINING ISSUE RESOLVED AND WORDING CHANGE IN IMPLEMENTING NOTE ACCEPTED, REVEALED THAT WEEK OF FEBRUARY 23-27 EARLIEST THAT BOTH SIDES BELIEVED THIS MIGHT BE ACCOMPLISHED.
KUBISCH

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